

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

EDGARDO NICOLAS MARTINEZ PEREZ

Debtors

Case No. 16-05934  
Chapter 13

**OBJECTION TO PROOF OF CLAIM NO. 14**  
**FILED BY CARMEN LUISA SEJO CRUZ**

**TO THE HONORABLE COURT:**

**COMES NOW** Debtor, represented by undersigned counsel, and very respectfully alleges and prays as follows:

1. On July 27, 2016, the Debtor filed a Voluntary Petition under Chapter 13 of the Bankruptcy Code.

2. On October 10, 2018, Carmen Luisa Sejo Cruz (hereinafter referred as the “Claimant”) filed Proof of Claim No. 14 as an unsecured claim in the amount of \$374,278.53 (hereinafter referred as the “POC”). The Debtor hereby objects the POC and in support thereof states as follows:

3. The POC is related to a claim for the liquidation of the community property filed at the Court of First Instance of Puerto Rico, San Juan Section (hereinafter referred as the “State Court”), under case number K AC2014-0953.

4. However, the above-mentioned State Court case has not been concluded, thus there is not final judgment, nor an amount adjudicated to Claimant.

5. Therefore, the claim has not yet matured, much less been liquidated. As such, the POC is in violation of 11 USC § 502 (a), (b)(1), (b)(2) & (b)(5).

6. Accordingly, the Debtor respectfully requests from this Honorable Court to disallow the POC in its entirety.

7. Debtor is not in possession of Claimant’s social security number and/or their date of birth. Therefore, it is respectfully requests to be relieved to comply with LBR 3007-1 (a) since the Debtor

is unable to determine whether the Claimant is a service members as required by § 201 (b)(1) of the Service Members Civil Relief Act of 2003.

**WHEREFORE**, the Debtor respectfully requests from this Honorable Court to disallow the POC in its entirety.

**NOTICE:** Within thirty (30) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the objection will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the court, the interest of justice requires otherwise. If a timely opposition is filed, the court will schedule a hearing as a contested matter.

**CERTIFICATE OF SERVICE:** I hereby certify that on this same date, I electronically filed the above document with the Clerk of the Court using the CM/ECF system, which will send notification, upon information and belief, of such filing to the following: Chapter 13 Trustee and the United States Trustee and to all CM/ECF participants. We also certify that this same date we have mailed by United States Mail, first class postage prepaid, to:

**LCDO. CARLOS ALBERTO RUIZ, CSP  
PO BOX 1298  
CAGUAS, PR 00726**

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico this 2<sup>nd</sup> day of November, 2018.

**/s/ William Rivera Vélez**  
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